

REMARK/ARGUMENTS

Applicants respectfully request reconsideration of this application in view of the foregoing amendments to the claims and the following comments.

In the Office Action mailed August 24, 2005, claims 51-52, 56-57, and 60 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. In addition, claims 1-41, 51, 53-54, 56, and 58-59 were rejected under 35 U.S.C. § 103(a), as allegedly obvious over U.S. Patent Appl. Publ. No. 2001/0031669 to Ohama (the "Ohama publication"), taken either by itself or in view of U.S. Patent Appl. Publ. No. 2001/0000506 to Sullivan (the "Sullivan publication"). Remaining claims 50 and 55 were objected to as being dependent on a rejected base claim, but indicated to be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

Applicants respectfully traverse these rejections for the reasons set forth below.

The Rejection of Claims Under 35 U.S.C. § 112, First Paragraph

As mentioned above, claims 51-52, 56-57, and 60 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, the Examiner asserted as follows:

"Claims 51 and 56, the specification does not support 'mixtures thereof' for the peroxides/crosslinkers. Claims 52 and 57, the specification does not support a combination of peroxides. Claim 60, no support for cyclohexylamine salt of 2-mercaptobenzothiazole."

In response to this rejection, Applicants have canceled claim 60, but they respectfully traverse the rejections of claims 51-52 and 56-57.

Regarding claims 51-52 and 56-57, Applicants note that the original disclosure does, in fact, disclose the use of *mixtures* of various peroxide cross-linking agents. For example, paragraph [0030] of the original disclosure expressly states as follows:

“[0030] Suitable cross-linking agents for use in the golf balls of the present invention include any sulfur compounds, *peroxides*, or other known chemical cross-linking agents, *as well as mixtures of these*. Non-limiting examples of suitable cross-linking agents include. . .” (Italics added.)

For this reason, it should be clear that Applicants did, in fact, originally contemplate the use of *mixtures* of peroxide cross-linking agents. Moreover, the particular peroxide cross-linking agents recited in rejected claims 51-52 and 56-57 are, in fact, included in the listing set forth in paragraph [0030]. For these reasons, the § 112 rejection of claims 51-52 and 56-57 should be withdrawn.

The Rejection of Claims Under 35 U.S.C. § 103(a)

As mentioned above, claims 1-41, 48-49, 51, 53-54, 56, and 58-59 were rejected under 35 U.S.C. § 103(a), as allegedly obvious over the Ohama publication, taken either by itself or in view of the Sullivan publication. Claims 50, 52, 55, 57, and 60 were not rejected under § 103(a).

By this Amendment, Applicants have amended independent claims 1 and 25 to define the peptizer to be a non-metal salt of an organic sulfur compound. Support for these amendments can be found, for example, in previous claims 49 and 54 and in paragraph [0023] of the original disclosure, which reads, in part, as follows:

“[0023] . . . The peptizer comprises an organic sulfur compound and/or its metal or non-metal salt.”

The amendments to independent claims 1 and 25 add features taken from dependent claims 49 and 54, which had defined the peptizer to be “a non-metal salt of an organosulfur compound.” Those dependent claims have now been canceled, as redundant.

In rejecting dependent claims 49 and 54, the Examiner had expressly asserted as follows: “the [Ohama] composition includes an organosulfur.” Applicants respectfully acknowledge that paragraph [0025] of the Ohama publication does, in fact, disclose the use of a peptizer selected from a long list of organosulfur compounds. However, this list fails to include any non-metal salts of such an organosulfur compound. The cited Sullivan publication is similarly deficient.

For this reason, the § 103(a) rejection of independent claims 1 and 25, as amended, should now be withdrawn.

Claims 2-24, 48, and 50-52 all depend from amended independent claim 1, and claims 26-40, 53, and 55-57 all depend from amended independent claim 25. Of these dependent claims, claims 5 and 27 have been amended for compatibility with their respective parent claims 1 and 25, and claims 50 and 55 have been amended to depend directly from their respective parent claims 1 and 25. These dependent claims all add features that more particularly define the invention and thus further distinguish over the cited Ohama and Sullivan publications. These dependent claims, likewise, should be allowed.

Also by this Amendment, Applicants have amended rejected independent method claim 41 to define the peptizer cross-linking agent in the same manner as is now defined in amended independent claims 1 and 25. For this reason, amended independent claim 41 should be allowed as well.

New Claims 61-62

New independent claim 61 defines a golf ball composition that includes an unsaturated polymer, a cross-linking agent comprising a peroxide, a peptizer, and an accelerator, wherein the peptizer includes a metal salt of pentachlorothiophenol. Further, new claim 62 depends from new claim 61 and more particularly defines the relative proportions of these constituents.

None of the cited references, including the Ohama and Sullivan publications, disclose a golf ball composition like that defined in new claims 61 and 62. Both of these claims are properly allowable.

Conclusion

Thus, 51 claims are presented for reconsideration. This includes amended independent claim 1 and its remaining dependent claims 2-24, 48, and 50-52; amended independent claim 25 and its remaining dependent claims 26-40, 53, and 55-57; amended independent claim 41; and new independent claim 61 and its dependent claim 62. All of these claims should now be in condition for allowance.

This application should now be in condition for a favorable action. Allowance of the application is respectfully requested. If the Examiner believes that a telephone conference with Applicants' undersigned attorney of record might expedite prosecution of the application, she is invited to call at the telephone number indicated below.

Respectfully submitted,

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